

Substitute for Form  
PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

032013-113

U.S. APPLICATION NO. (If known, see 37 CFR 1.55)

10/521,760

INTERNATIONAL APPLICATION NO.

PCT/FR2003/002218

INTERNATIONAL FILING DATE

July 11, 2003

PRIORITY DATE CLAIMED

July 24, 2002

TITLE OF INVENTION

METHOD FOR PRODUCING COLD AND INSTALLATION THEREFOR

APPLICANT(S) FOR DO/EO/US

STITOU, Driss; SPINNER, Bernard (deceased); NEVEU, Pierre

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission to items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 21 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: A copy of the Notification of Missing Requirements under 35 U.S.C. 371; Response to Notification of Missing Requirements under 35 U.S.C. 371





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,760	Driss Stitou	032013-113

INTERNATIONAL APPLICATION NO.	
PCT/FR03/02218	
LA. FILING DATE	PRIORITY DATE
07/11/2003	07/24/2002

21839  
 BUCHANAN INGERSOLL PC  
 (INCLUDING BURNS, DOANE, SWECKER & MATHIS)  
 POST OFFICE BOX 1404  
 ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 4201  
 371 FORMALITIES LETTER



\*OC000000016545777\*

Date Mailed: 07/18/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/19/2005
- English Translation of the IA filed on 01/19/2005
- Copy of the International Search Report filed on 01/19/2005
- Copy of IPE Report filed on 01/19/2005
- Preliminary Amendments filed on 01/19/2005
- Information Disclosure Statements filed on 01/19/2005
- Request for Immediate Examination filed on 01/19/2005
- U.S. Basic National Fees filed on 01/19/2005
- Priority Documents filed on 01/19/2005

*FSG*  
*cm*  
*7-19-05*  
*CR*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

*Missing Parts Due 9-18-05*

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,760	PCT/FR03/02218	032013-113

Rec'd PCT/PTO 19 SEP 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	
Driss Stitou et al.	)	Group Art Unit:
Application No.: 10/521,760	)	Examiner:
Filed: January 19, 2005	)	Confirmation No.: 4201
For: METHOD FOR PRODUCING COLD	)	
AND INSTALLATION THEREFOR	)	
	)	
	)	
	)	

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. § 371**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. § 371,  
Applicants submit the attached executed declaration and the surcharge of \$130.

In this regard, please note that inventor Bernard Spinner is deceased. Accordingly,  
pursuant to 37 C.F.R. § 1.421 and MPEP § 409.01(a), his heirs have signed on his behalf as the  
heirs did not agree to designate an executor or legal representative. The five heirs are as follows:

Bruno Spinner  
1 rue Rabelais  
F-34690 Fabreges

Caroline Spinner Brossard  
19 Lotissement Las Trados  
F-09000 Brassac

Anne Christel Spinner Kohler  
Domaine d'Aussieres  
F-11100 Narbonne

Camille Spinner  
228, avenue A. Einstein  
F-66100 Perpignan

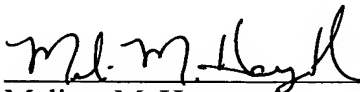
Martin Spinner  
228, avenue A. Einstein  
F-66100 Perpignan

Please note that two of the heirs, Camille Spinner and Martin Spinner, are minors.  
Therefore, their mother, Nathalie Mazet has signed on their behalf.

As the heirs to Bernard Spinner's estate, Bruno Spinner, Caroline Spinner Brossard  
Anne Christel Spinner Kohler and Nathalie Mazet (on behalf of minor heirs Camille and Martin  
Spinner) have executed the attached oath/declaration in place of Bernard Spinner.

If there are any questions regarding this submission, please contact the undersigned.

Respectfully submitted,  
BUCHANAN INGERSOLL PC

By:   
Melissa M. Hayworth  
Registration No. 45,774

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: September 16, 2005